

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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BRANDON COPELAND,

Petitioner,

ORDER

v.

07-C-547=S

GREG GRAMS,

Respondent.

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The above entitled matter was transferred to this Court from the United States District Court for the Eastern District of Wisconsin. Petitioner entitled his pleading a petition for a writ of habeas corpus under 28 U.S.C. §2241. He paid the filing fee.

Petitioner is advised that in any future proceedings in this matter he must offer argument not cumulative of that already provided to undermine this Court's conclusion that his claim must be dismissed. See Newlin v. Helman, 123 F.3d 429, 433 (7<sup>th</sup> Cir. 1997).

Petitioner does not allege that he is in federal custody which is required for a petition for a writ of habeas corpus under 28 U.S.C. §2241. Further, although he alleges that he is in state custody in violation of the Constitution pursuant to 28 U.S.C. §2254, he is not seeking release from custody.

Petitioner is seeking placement in a different institution. His remedy is a civil action under 42 U.S.C. §1983. Accordingly,

his petition for a writ of habeas corpus will be dismissed without prejudice.

Petitioner is advised that in any future proceedings in this matter he must offer argument not cumulative of that already provided to undermine this Court's conclusion that his petition must be dismissed. See Newlin v. Helman, 123 F.3d 429, 433 (7<sup>th</sup> Cir. 1997).

ORDER

IT IS ORDERED that petitioner's petition for a writ of habeas corpus is DISMISSED without prejudice.

Entered this 4<sup>th</sup> day of October, 2007.

BY THE COURT:

/s/

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JOHN C. SHABAZ  
District Judge